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6 UNITED STATES DISTRICT COURT
7 FOR THE EASTERN DISTRICT OF WASHINGTON

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.
11

12 ORLANDO BAIREs-CARRAGENA,

13 Defendant.
14

Case No. 2:19-CR-0070-TOR

Protective Order for Minors and
Order Re: Compliance with
18 U.S.C. § 3509(d)

15
16 BEFORE THE COURT is the United States' Motion for Protective Order for
17 Minors and Order re: Compliance with 18 U.S.C. § 3509(d). ECF No. 17. The
18 motion was submitted for consideration without oral argument on an expedited basis.
19 The Court has reviewed the file and the records therein, and his fully informed. The
20 Court finds good cause to grant the motion and issues the following protective order:

21 IT IS HEREBY ORDERED, that the privacy protection measures mandated by
22 18 U.S.C. § 3509(d), when a case involves a person under the age of eighteen years
23 who is alleged to be a victim of a crime of sexual exploitation, or a witness to a crime
24 committed against another person, apply to this case, thus;

25 IT IS FURTHER ORDERED that all persons acting in this case in a capacity
26 described in 18 U.S.C. § 3509(d)(1)(B), shall follow and abide by the privacy
27 protections of 18 U.S.C. § 3509(d)(1) and (2) as follows:
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1 (d) Privacy protection.--

2 (1) Confidentiality of information.—

3 (A) A person acting in a capacity described in
4 subparagraph (B) in connection with a criminal
5 proceeding shall--

6 (i) keep all documents that disclose the name or
7 any other information concerning a child in
8 a secure place to which no person who does
9 not have reason to know their contents has
access; and

10 (ii) disclose documents described in clause (i) or
11 the information in them that concerns a child
12 only to persons who, by reason of their
13 participation in the proceeding, have reason
to know such information.

14 (B) Subparagraph (A) applies to--

15 (i) all employees of the Government connected
16 with the case, including employees of the
17 Department of Justice, any law enforcement
18 agency involved in the case, and any person
19 hired by the Government to provide
assistance in the proceeding;

20 (ii) employees of the court;

21 (iii) the defendant and employees of the
22 defendant, including the attorney for the
23 defendant and persons hired by the
24 defendant or the attorney for the defendant
to provide assistance in the proceeding; and

25 (iv) members of the jury.

26 (2) Filing under seal.--All papers to be filed in court that
27 disclose the name of or any other information concerning
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1 a child shall be filed under seal without necessity of
2 obtaining a court order. The person who makes the filing
3 shall submit to the clerk of the court--

4 (A) the complete paper to be kept under seal; and

5 (B) the paper with the portions of it that disclose the
6 name of or other information concerning a child
7 redacted, to be placed in the public record.

8 IT IS FURTHER ORDERED that counsel shall remind all persons providing
9 assistance on this case of these obligations.

10 IT IS FURTHER ORDERED that any alleged minor victim will be referred to
11 either by initials or a pseudonym, whichever is agreed upon by counsel for the United
12 States and the Defendant. Counsel shall be consistent in their use of the identifier
13 selected. The parties shall prepare their witnesses and instruct them to refer to the
14 alleged minor victims only by using the agreed pseudonyms (e.g., "Jane Doe 1",
15 "Jane Doe 2" etc.), rather than their names, in opening statements and in closing
16 arguments.

17 IT IS FURTHER ORDERED that all personal information relating to any minor
18 victim shall be precluded from public disclosure.

19 IT IS SO ORDERED. The Clerk shall enter this Order and furnish copies to
20 counsel.

21 DATED May 17, 2019.



Thomas O. Rice
THOMAS O. RICE
Chief United States District Judge